

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JUAN PABLO CHAVEZ,

Plaintiff,

v.

SGT. WILLIAM FINNEY, et al.

Defendants.

19-CV-4109 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

Plaintiff has requested the appointment of *pro bono* counsel in this case. The request is denied without prejudice.

In determining whether to grant a request for counsel, the Court must consider “the merits of plaintiff’s case, the plaintiff’s ability to pay for private counsel, his efforts to obtain a lawyer, the availability of counsel, and the plaintiff’s ability to gather the facts and deal with the issues if unassisted by counsel.” *Cooper v. A. Sargenti Co.*, 877 F.2d 170, 172 (2d Cir. 1989) (per curiam). As a threshold matter, in order to qualify for appointment of counsel, Plaintiff must demonstrate that his claim has substance or a likelihood of success. *See Hodge v. Police Officers*, 802 F.2d 58, 60–61 (2d Cir. 1986). In addition, in reviewing a request for appointment of counsel, the Court must be cognizant of the fact that volunteer attorney time is a “precious commodity,” and thus, should not grant appointment of counsel indiscriminately. *Cooper*, 877 F.2d at 172. Because the Court cannot compel attorneys to take on civil cases *pro bono*, and because it does not have the resources to pay counsel in civil matters, the granting of an application for *pro bono* counsel “is a rare event.” *Colon-Reyes v. Fegs Health and Human Servs. Sys.*, No. 12-CV-2223 (CM), 2012 WL 2353732, at \*1 (S.D.N.Y. June 13, 2012).

Having reviewed Plaintiff's request for counsel along with the complaint, the Court finds that a more fully developed record will be necessary before it can determine whether Plaintiff's chances of success warrant the appointment of counsel. Plaintiff's application is therefore denied without prejudice to renewal at a later stage of this case. The Clerk of Court is directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: July 19, 2021  
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', with a long horizontal flourish extending to the right.

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RONNIE ABRAMS  
United States District Judge